

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:11-CR-00022-RLV-1**

UNITED STATES OF AMERICA)
)
)
v.) **ORDER**
)
)
CESAR SIERRO-PINEDA,)
)
)
Defendant.)
)

THIS MATTER is before the Court on Defendant Sierro-Pineda's Motion for Substitute Counsel (Doc. 82) and subsequent, related filings (Docs. 83, 87, 88).

Within his Motion, Defendant complains of his counsel's nonresponsiveness and apparent inclination to adopt certain strategies endorsed by another attorney. Defendant also seems to draw a distinction between a "defense attorney" and "just a counsel," placing a great deal of importance on signing "the CRJ-28 Form." (Doc. 82 at 1.)

The Court will decide this Motion during the sentencing hearing set for Wednesday, December 5, 2012, in the Statesville Division. At that time, the parties are expected to be prepared to proceed with the sentencing of Defendant Sierro-Pineda in the event the Court denies Defendant's Motion for Substitute Counsel. That is, the parties should be prepared both to address the pending Motion for Substitute Counsel and to participate fully in Defendant's sentencing. Defendant is advised to cooperate to the fullest extent with his attorney, Cecilia Oseguera, in order to prepare adequately for sentencing.

IT IS, THEREFORE, ORDERED that Defendant's pro se Motion for Substitute Counsel (Doc. 82) be heard at Defendant's sentencing hearing.

Signed: November 30, 2012



Richard L. Voorhees
United States District Judge

